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General Bankruptcy Counsel for Lenard Schwartz, Chapter 7 Trustee

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

GENE COLLINS, an individual doing
business as SOUTHERN NEVADA
FLAGGERS & BARRICADES; SIX STAR
CLEANING & CARPET SERVICE, INC., a
Nevada corporation; YOLANDA WOODS,
an individual doing business as STEP BY
STEP CLEANING SERVICE, INC.,
FLOPPY MOP, INC., a Nevada corporation,
and BLUE CHIP ENTERPRISES, INC.,

Plaintiffs.

v.

LABORERS INTERNATIONAL UNION
OF NORTH AMERICA, LOCAL NO. 872,
TOMMY WHITE, et al.

Defendants.

Case No. 2:11-cv-00524-GMN-DJA

**SECOND STATUS REPORT
REGARDING THE RETENTION OF
NEW COUNSEL**

Lenard Schwartz (the “Trustee”), the duly appointed successor Chapter 7 Trustee in the bankruptcy case filed by Six Star Carpet Cleaning & Carpet Service, Inc. (“Six Star”), by and through his general bankruptcy counsel Jacob L. Houmand, Esq. and Bradley G. Sims, Esq. of the Houmand Law Firm, Ltd., hereby submits this *Second Status Report Regarding the Retention of New Counsel* (the “Status Report”).

On September 28, 2020, this Court granted the *Motion to Withdraw As Attorney of Record* [Doc No. 220] filed by Leo P. Flangas, Esq., former counsel for the Trustee and the other plaintiffs

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1 in this litigation. As part of that Order, this Court ordered that the plaintiffs shall either retain new
 2 counsel or file a status report updating their efforts to obtain new counsel no later than October 30,
 3 2020.

4 On October 30, 2020, the Trustee filed a *Status Report Regarding Retention of New Counsel*
 5 [ECF No. 244] that requested a sixty (60) day extension to retain new counsel. On November 2,
 6 2020, this Court entered a *Minute Order* [ECF No. 245] that approved the Trustee's requested
 7 extension and scheduled December 29, 2020 as the new deadline for the retention of new counsel
 8 or the filing of a status report. This Status Report is intended to further update the Court on the
 9 Trustee's efforts to obtain new counsel.

10 The Trustee has continued discussions with out-of-state counsel who has been reviewing
 11 documents related to the case and have met with several of the plaintiffs in this litigation. However,
 12 this review has been impacted by Covid-19 restrictions and the death of a family member of one of
 13 the plaintiffs.

14 On September 13, 2020, the plaintiffs in this litigation filed a *Motion to Vacate Arbitration*
 15 *Award (9 U.S.C. § 10) and Memorandum of Points and Authorities* [ECF No. 221] (the "Motion to
 16 Vacate") that sought to vacate an arbitration award based upon the failure of the arbitrator to
 17 disclose certain connections with the parties and their counsel. The Motion to Vacate has been
 18 fully briefed and is awaiting a decision from this Court. The outcome of the Motion to Vacate will
 19 have a significant impact on the procedural posture of this litigation and will determine whether the
 20 parties will need to participate in a new arbitration, or if they will litigate the remaining claims
 21 before this Court.

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1 Accordingly, the Trustee respectfully requests that the Court extend the deadline for the
2 Trustee to retain substitute counsel to thirty (30) days after entry of an order on the Motion to
3 Vacate.

4 Dated this 29th day of December, 2020.

5 **HOUMAND LAW FIRM, LTD.**

6 By: /s/ Jacob L. Houmand

7 Jacob L. Houmand, Esq. (NV Bar No. 12781)

8 Bradley G. Sims, Esq. (NV Bar No. 11713)

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13 *General Bankruptcy Counsel for Lenard*
14 *Schwartz, Chapter 7 Trustee*
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